

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ENZO BIOCHEM, INC. and
ENZO LIFE SCIENCES, INC.

Plaintiffs,

v.

PERKINELMER, INC. and
PERKINELMER LIFE SCIENCES, INC.,

Defendants.

X

:

:

:

:

:

:

:

:

:

:

:

:

:

X

No. 03-CV-3817 (RJS)

**NOTICE OF MOTION TO
COMPEL**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 26 and 45, and upon the Declaration of Lauren B. Grassotti, dated January 27, 2014, and the exhibits annexed thereto, and the accompanying Memorandum of Law, as well as all prior papers and proceedings herein, Plaintiffs Enzo Biochem, Inc. and Enzo Life Sciences, Inc. (collectively, “Enzo”) will move this Court, before the Honorable Richard J. Sullivan, at the United States Courthouse, Courtroom 905, 40 Foley Square, New York, New York 10007, at a date and time to be set by the Court, to compel Molecular Probes, Inc. to comply with the Subpoena to Testify At A Deposition In A Civil Action (“MPI”) served by Enzo.

Dated: January 27, 2014

/s/ Lauren B. Grassotti

Michael Burrows

Jeffrey R. Mann

Ronald D. Lefton

Lauren B. Grassotti

GREENBERG TRAURIG, LLP

200 Park Avenue

New York, NY 10166

(212) 801-9200

*Attorneys for Plaintiffs Enzo Biochem, Inc. and
Enzo Life Sciences, Inc.*